

U.S. District Court
United States District Court - District of New Mexico (Las Cruces)
CIVIL DOCKET FOR CASE #: 2:22-cv-00152-KWR-KRS

RECAP Actions ▼

Baker v. Corizon Health Inc. et al
Assigned to: District Judge Kea W. Riggs
Referred to: Magistrate Judge Kevin R. Sweazea
Cause: 42:1983 Civil Rights Act

Date Filed: 02/28/2022
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Adam Baker
as Personal Representative to the Estate of
Zachary Barela
estate of
Zachary Barela

represented by **Lisa Y Schatz-Vance**
Law Office of Matthew Vance, P.C.
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ATTORNEY TO BE NOTICED

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V.

Defendant


Corizon Health Inc.

represented by **Casey S Stevenson**
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915-533-2493
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Defendant**John/Jane Doe**

Date Filed	#	Docket Text
02/28/2022	1	COMPLAINT <i>for the Recovery of Damages Caused by the Deprivation of Civil Rights, Negligence, Spoliation of Evidence and Wrongful Death</i> against All Defendants (Filing Fee - Online Payment), filed by Adam Baker. (Attachments: # 1 Civil Cover Sheet) (Coyte, Matthew) (Entered: 02/28/2022)
02/28/2022		Filing and Administrative Fees Received: \$ 402 receipt number ANMDC-8142246 re 1 Complaint, filed by Adam Baker (Payment made via Pay.gov)(Coyte, Matthew) (Entered: 02/28/2022)
02/28/2022		United States Magistrate Judge Gregory J. Fouratt and United States Magistrate Judge Kevin R. Sweazea assigned. (dr) (Entered: 02/28/2022)
02/28/2022	2	PLEASE TAKE NOTICE that this case has been randomly assigned to United States Magistrate Judge Gregory J. Fouratt to conduct dispositive proceedings in this matter, including motions and trial. Appeal from a judgment entered by a Magistrate Judge will be to the United States Court of Appeals for the Tenth Circuit. It is the responsibility of the case filer to serve a copy of this Notice upon all parties with the summons and complaint. <i>Consent is strictly voluntary, and a party is free to withhold consent without adverse consequences. Should a party choose to consent, notice should be made no later than 21 days after entry of the Order setting the Rule 16 Initial Scheduling Conference.</i> For e-filers, visit our Web site at www.nmd.uscourts.gov for more information and instructions. [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (dr) (Entered: 02/28/2022)
03/01/2022		Summons Issued as to Corizon Health Inc.. (jg) (Entered: 03/01/2022)
03/18/2022	3	SUMMONS Returned Executed by Adam Baker. Corizon Health Inc. served on 3/11/2022, answer due 4/1/2022. (Coyte, Matthew) (Entered: 03/18/2022)
04/01/2022	4	<i>Corizon Health, Inc.'s</i> ANSWER to 1 Complaint, by Corizon Health Inc.. Related document: 1 Complaint, filed by Adam Baker.(Paoli, Henry) (Entered: 04/01/2022)
04/19/2022	5 	INITIAL SCHEDULING ORDER: by Magistrate Judge Kevin R. Sweazea. Joint Status Report due by May 16, 2022. Telephonic Scheduling Conference set for May 24, 2022 at 09:30 AM. Unless otherwise notified by the Clerk or the Court a notice of consent or non-consent for this case to proceed before the trial Magistrate Judge should be submitted by each party no later than May 10, 2022. (atc) (Entered: 04/19/2022)
04/28/2022	6	CERTIFICATE OF SERVICE by Adam Baker <i>Plaintiff's Initial Disclosures</i> (Coyte, Matthew) (Entered: 04/28/2022)
05/11/2022	7	NOTICE OF CONSENT SUBMISSION DEADLINE by Magistrate Judge Gregory J. Fouratt. Pursuant to Fed. R. Civ. P. 73(b)(2), the parties are reminded that a magistrate

		<p>judge was assigned as the trial judge in this matter under 28 U.S.C. 636(c). The parties are advised that this matter will be reassigned to a district judge as the trial judge if written consents from all parties have not been filed by May 23, 2022. The parties are free to withhold consent. <i>If you have already entered your consent, you need not resubmit.</i> (gbg)</p> <p>[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 05/11/2022)</p>
05/11/2022	8	CERTIFICATE OF SERVICE by Corizon Health Inc. (Paoli, Henry) (Entered: 05/11/2022)
05/16/2022	9	Joint Status Report <i>and Provisional Discovery Plan</i> by Adam Baker (Coyte, Matthew) (Entered: 05/16/2022)
05/20/2022	10	CERTIFICATE OF SERVICE by Corizon Health Inc. (Paoli, Henry) (Entered: 05/20/2022)
05/24/2022	12	Clerk's Minutes for proceedings held before Magistrate Judge Kevin R. Sweazea: Scheduling Conference held on 5/24/2022. (atc) (Entered: 05/24/2022)
05/24/2022	13 R	ORDER ADOPTING JOINT STATUS REPORT by Magistrate Judge Kevin R. Sweazea. (atc) (Entered: 05/24/2022)
05/24/2022	14 R	SCHEDULING ORDER: by Magistrate Judge Kevin R. Sweazea. Discovery due by November 21, 2022. Dispositive Motions due by December 22, 2022. (atc) (Entered: 05/24/2022)
05/25/2022	15	CERTIFICATE OF SERVICE by Adam Baker <i>Plaintiff's First Set of Interrogatories, Requests for Production and Requests for Admission</i> (Coyte, Matthew) (Entered: 05/25/2022)
06/15/2022	16	<p>PLEASE TAKE NOTICE that this case has been reassigned to United States District Judge Kea W. Riggs as the trial judge.</p> <p>Under D.N.M.LR-Civ. 10.1, the first page of each document must have the case file number and initials of the assigned judges.</p> <p><i>Accordingly, further documents filed in this matter must bear the case number and the judges' initials shown in the case caption and the NEF for this document. Kindly reflect this change in your filings.</i></p> <p>United States Magistrate Judge Gregory J. Fouratt no longer assigned to this case. [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (jg) (Entered: 06/15/2022)</p>
06/16/2022	17	CERTIFICATE OF SERVICE by Adam Baker <i>Plaintiff's Second Set of Interrogatories and Requests for Production</i> (Coyte, Matthew) (Entered: 06/16/2022)
06/16/2022	18	Corporate Disclosure Statement by Corizon Health Inc. identifying Corporate Parent Valitas Intermediate Holdings, Inc., Corporate Parent Valitas Intermediate Holdings, Inc. for Corizon Health Inc.. (Paoli, Henry) (Entered: 06/16/2022)
06/17/2022	19	<p>NOTICE REGARDING DOCUMENT ENTRIES: Because this case has been reassigned to a district judge, please be advised that any documents filed by the parties under Rule 73(b) have been permanently removed from the docket. Document(s) removed: No. 11.</p> <p>[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (bl) (Entered: 06/17/2022)</p>

06/27/2022	20	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Discovery Responses</i> (Paoli, Henry) Modified text on 6/28/2022 (arp). (Entered: 06/27/2022)
07/18/2022	21	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>of answers to second interrogatories, responses to second requests for production and privilege log</i> (Paoli, Henry) Modified text on 7/19/2022 (bap). (Entered: 07/18/2022)
07/22/2022	22	CERTIFICATE OF SERVICE by Corizon Health Inc. - defendants answers to plaintiffs second interrogatories, defendants responses to plaintiffs second requests for production, and defendants privilege log (Paoli, Henry) Modified text on 7/25/2022 (cmm). (Entered: 07/22/2022)
08/04/2022	23	CERTIFICATE OF SERVICE by Adam Baker <i>Plaintiff's First Supplemental Initial Disclosures</i> (Coyte, Matthew) (Entered: 08/04/2022)
08/08/2022	24	Unopposed MOTION to Extend (other) <i>Deadline Under D.N.M.LR-CIV. 26.6</i> by Adam Baker. (Coyte, Matthew) (Entered: 08/08/2022)
08/08/2022	25 	ORDER by Magistrate Judge Kevin R. Sweazea granting 24 Stipulated Motion to Extend Deadline to File Motion to Compel. (atc) (Entered: 08/08/2022)
08/08/2022	26	Opposed MOTION to Compel <i>Discovery</i> by Adam Baker. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7) (Coyte, Matthew) (Entered: 08/08/2022)
08/11/2022	27	ORDER by Magistrate Judge Kevin R. Sweazea Setting Telephonic Status Conference for September 21, 2022 at 09:30 AM to discuss setting a settlement conference. The parties shall call (888) 398-2342 and enter code 8193818 to join the proceedings. [THIS IS A TEXT-ONLY ENTRY. NO DOCUMENTS ARE ATTACHED.] (atc) (Entered: 08/11/2022)
08/16/2022	28	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Defendant's Second Supplemental Responses</i> (Paoli, Henry) Modified text on 8/17/2022 (arp). (Entered: 08/16/2022)
08/17/2022	29	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Second Supplemental Answers to Interrogatories</i> (Paoli, Henry) Modified text on 8/18/2022 (arp). (Entered: 08/17/2022)
08/22/2022	30	**FILED IN ERROR** RESPONSE to Motion re 26 Opposed MOTION to Compel <i>Discovery</i> filed by Corizon Health Inc.. (Attachments: # 1 Affidavit) (Paoli, Henry) Modified text on 8/23/2022. Will refile with correct case number (arp). (Entered: 08/22/2022)
08/23/2022	31	RESPONSE to Motion re 26 Opposed MOTION to Compel <i>Discovery</i> filed by Corizon Health Inc.. (Attachments: # 1 Exhibit) (Paoli, Henry) (Entered: 08/23/2022)
09/01/2022	32	REPLY to Response to Motion re 26 Opposed MOTION to Compel <i>Discovery</i> filed by Adam Baker. (Coyte, Matthew) (Entered: 09/01/2022)
09/01/2022	33	NOTICE of Briefing Complete by Adam Baker re 26 Opposed MOTION to Compel <i>Discovery</i> filed by Adam Baker (Coyte, Matthew) (Entered: 09/01/2022)
09/01/2022	34	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Requests for Production and Interrogatories</i> (Paoli, Henry) Modified text on 9/2/2022 (arp). (Entered: 09/01/2022)
09/06/2022	35	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Second Supplemental Rule 26 Disclosures</i> (Paoli, Henry) Modified text on 9/7/2022 (arp). (Entered: 09/06/2022)
09/12/2022	36	Unopposed MOTION for Protective Order by Corizon Health Inc.. (Attachments: # 1 Exhibit) (Paoli, Henry) (Entered: 09/12/2022)

09/12/2022	37	Unopposed MOTION to Extend (other) <i>Scheduling Order Deadlines</i> by Adam Baker. (Coyte, Matthew) (Entered: 09/12/2022)
09/13/2022	38 R	ORDER by Magistrate Judge Kevin R. Sweazea granting 37 Stipulated Motion to Extend Scheduling Order Deadlines. Discovery due January 20, 2023. Dispositive Motions due February 20, 2023. (atc) (Entered: 09/13/2022)
09/13/2022	39 R	ORDER by Magistrate Judge Kevin R. Sweazea granting 36 Unopposed Motion for Protective Order. (atc) (Entered: 09/13/2022)
09/19/2022	40	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Third Supplemental Responses</i> (Paoli, Henry) Modified text on 9/20/2022 (arp). (Entered: 09/19/2022)
09/21/2022	41	Clerk's Minutes for proceedings held before Magistrate Judge Kevin R. Sweazea: Status Conference held on 9/21/2022. (atc) (Entered: 09/22/2022)
09/22/2022	42 R	ORDER by Magistrate Judge Kevin R. Sweazea. Settlement Conference set for October 27, 2022 at 09:00 AM via Zoom. Consult Order for associated deadlines. (atc) (Entered: 09/22/2022)
09/22/2022	43	ORDER by Magistrate Judge Kevin R. Sweazea. The Court is withholding ruling on 26 Opposed Motion to Compel Discovery, pending the outcome of the October 27, 2022 settlement conference. [THIS IS A TEXT-ONLY ENTRY. NO DOCUMENTS ARE ATTACHED.] (atc) (Entered: 09/22/2022)
10/05/2022	44	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Third Supplemental Rule 26 Disclosures</i> (Paoli, Henry) Modified text on 10/6/2022 (arp). (Entered: 10/05/2022)
10/06/2022	45	CERTIFICATE OF SERVICE by Adam Baker <i>Plaintiff's Answers and Responses to Defendant Corizon Health Inc.'s First Set of Interrogatories and Requests for Production</i> (Coyte, Matthew) (Entered: 10/06/2022)
10/27/2022	46	Clerk's Minutes for proceedings held before Magistrate Judge Kevin R. Sweazea: Settlement Conference held on 10/27/2022. The case did not settle. (atc) (Entered: 10/27/2022)
11/04/2022	47	CERTIFICATE OF SERVICE by Adam Baker <i>Plaintiff's First Supplemental Discovery Answers to Defendant Corizon Health Inc.'s First Set of Interrogatories and Requests for Production</i> (Coyte, Matthew) (Entered: 11/04/2022)
11/18/2022	48	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Fourth Supplemental Rule 26 Disclosures</i> (Paoli, Henry) Modified on 11/21/2022 (cmm). (Entered: 11/18/2022)
11/22/2022	49	Unopposed MOTION to Extend (other) <i>Scheduling Order Deadlines</i> by Adam Baker. (Coyte, Matthew) (Entered: 11/22/2022)
11/25/2022	50 R	ORDER by Magistrate Judge Kevin R. Sweazea granting 49 Stipulated Motion to Extend Scheduling Order Deadlines. Discovery due March 21, 2023. Dispositive motions due April 21, 2023. (atc) (Entered: 11/25/2022)
11/28/2022	51	ORDER by Magistrate Judge Kevin R. Sweazea Setting Telephonic Status Conference for March 22, 2023 at 09:00 AM to discuss setting a second settlement conference. The parties shall call (888) 398-2342 and enter code 8193818 to join the proceedings. [THIS IS A TEXT-ONLY ENTRY. NO DOCUMENTS ARE ATTACHED.] (atc) (Entered: 11/28/2022)
12/05/2022	52	CERTIFICATE OF SERVICE by Adam Baker <i>Plaintiff's Second Supplemental Initial Disclosures</i> (Coyte, Matthew) (Entered: 12/05/2022)
12/06/2022	53	CERTIFICATE OF SERVICE by Adam Baker <i>Plaintiff's Third Set of Interrogatories to Defendant Corizon Health, Inc.</i> (Coyte, Matthew) (Entered: 12/06/2022)

12/09/2022	54	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Fifth Supplemental Rule 26 Disclosures</i> (Paoli, Henry) Modified text on 12/12/2022 (arp). (Entered: 12/09/2022)
01/05/2023	55	CERTIFICATE OF SERVICE by Corizon Health Inc. <i>Defendant's Answers to Plaintiff's Third Set of Interrogatories</i> (Paoli, Henry) Modified text on 1/6/2023 (arp). (Entered: 01/05/2023)
01/17/2023	56 R	ORDER by Magistrate Judge Kevin R. Sweazea to Notify the Court by January 31, 2023. (atc) (Entered: 01/17/2023)
01/24/2023	57	CERTIFICATE OF SERVICE by Adam Baker <i>Plaintiff's Rule 26(a)(2) Expert Witness Disclosures</i> (Coyte, Matthew) (Entered: 01/24/2023)
01/31/2023	58	NOTICE by Corizon Health Inc. re 56 R Order <i>Dated January 17, 2023</i> (Paoli, Henry) (Entered: 01/31/2023)
01/31/2023	59	NOTICE by Adam Baker re 56 R Order <i>Dated January 17, 2023</i> (Coyte, Matthew) (Entered: 01/31/2023)
02/03/2023	60 R	ORDER by Magistrate Judge Kevin R. Sweazea Holding in Abeyance Ruling on 26 Motion to Compel. (atc) (Entered: 02/03/2023)
02/10/2023	61	MOTION to Withdraw <i>as Counsel for Defendant</i> by Corizon Health Inc.. (Paoli, Henry) (Entered: 02/10/2023)
02/15/2023	62	SUGGESTION OF BANKRUPTCY Upon the Record <i>and Notice of Automatic Stay</i> by Corizon Health Inc. (Paoli, Henry) (Entered: 02/15/2023)

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